

Panaji, 18th January, 1973 (Pausa 28, 1894)

SERIES I. No. 42

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/47/72-II

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated the 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules relating to recruitment to the Class III posts of Assistant Agriculture Officer Grade II/Extension Officer (Agriculture)/Instructor in Agriculture/Compost Inspector/Fertilizer Inspector/Field Demonstration Officer in the Directorate of Agriculture under the Government of Goa, Daman and Diu.

1. **Short title.** — These rules may be called Goa Government Directorate of Agriculture Class III (Non-Ministerial non-Gazetted) posts Recruitment Rules 1972.

2. **Application.** — These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment to the said posts, age limit, qualifications and other matters

connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

Provided that,

- (a) the maximum age limit specified in the Schedule in respect of direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and other special categories in accordance with the orders issued by the Government from time to time.
- (b) no male candidate, who has more than one wife living and no female candidate, who has married a person having already a wife living, shall be eligible for appointment, unless the Government, after having been satisfied that there are special grounds for doing so, exempts any such candidate from the operation of this rule.

5. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date. An appointment made prior to this date through a duly constituted Staff Selection Board/Departmental Promotion Committee will be deemed to be a regular appointment, notwithstanding any provisions contained in these rules, and the probation period in that case will extend to six months only from the date of this notification.

6. This issues in supersession of recruitment rules already framed for the posts concerned and appearing at Serial No. 34 of Notification dated 9th November, 1966 published in Government Gazette Series I No. 38 dated 22nd December, 1966.

*T. Kipgen*

Chief Secretary

Panaji, 14th December, 1972.

## SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12	13
Name of the post	No. of posts	Classification	Scale of Pay	Whether Selection Post or non-Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether extra and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment, by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a DPC exists, in which U.P.S.C. is to be consulted in making recruitment	Class As required under the D.P.C. rules.
Assistant Agriculture Officer Grade II/Extension Officer (Agriculture)/Inspector in Agriculture/Comptroller Inspector/Fertilizer Inspector/Field Demonstrator Officer	32	Class III (Non-ministerial Non-Gazetted).	Rs. 210-10-290-15-320-EB-15-425	Selection	30 years (Relaxable for Government servants)	Degree in Agriculture from a recognised University.	N.A.	Two years	50% by promotion failing which by direct recruitment, 50% by direct recruitment.	Promotion: 1. Agricultural Demonstrators with 3 years service in the grade. 2. Gramsevakas / Sevikas & Agricultural Assistants with 5 years service in the grades. 3. Panchayat Secretaries with 7 years service in the grade.		Class III under the D.P.C. rules.

## Notification

OSD/RRVS/42/72-II

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F. 7(11)/62-Goa dated the 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following rules amending the Goa Government, Directorate of Animal Husbandry and Veterinary Services Class III (non-ministerial non-gazetted) posts and Class IV posts Recruitment Rules 1971 issued under Notification No. OSD/RRVS/40/72-II dated 21st July, 1971 and published in Government Gazette Series I No. 26 dated 23rd September, 1971, namely:—

1. *Short Title and Commencement.*— (i) These rules may be called the Goa Government, Directorate of Animal Husbandry & Veterinary Services Class III (non-ministerial non-gazetted) posts and Class IV posts Recruitment (First amendment) Rules 1972.

(ii) They shall come into force at once.

2. In the Schedule attached to the said Notification:

(a) Against the post of 'Mechanic (Vehicle) Grade I' appearing at Serial No. 4.

i) for the existing entry in column 10 substitute:

"By promotion failing which by transfer on deputation and failing both by direct recruitment".

ii) For the existing entry in column 11 substitute:

"Promotion — Mechanic Grade II in the Department with three years service in the grade.

*Transfer on deputation:* A suitable officer holding analogous post in any other Department under the Government of Goa, Daman & Diu".

(Deputation period not exceeding three years).

iii) For the existing entry in column 12 substitute:

"Class III D. P. C."

(b) Against the post of Electrician appearing at serial No. 5.

i) for the existing entry in column 10 substitute:

"By direct recruitment"

ii) for the existing entry in column 11 substitute:

"Not applicable"

iii) for the existing entry in column 12 substitute:

"Not applicable"

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Deputy Secretary (Appointments).

Panaji, 11th January, 1973.

## Law and Judicial Department

## Notification

LD/39/4/72

The Rulers of Indian States (Abolition of Privileges) Act, 1972 (54 of 1972) and The Former Secretary of State Service Officers (Conditions of Service) Act, 1972 (59 of 1972), which were recently passed by the Parliament and assented to by the President of India are hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 21st October, 1972.

## The Rulers of Indian States (Abolition of Privileges) Act, 1972

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*further to amend certain enactments consequent on derecognition of Rulers of Indian States and abolition of privy purses, so as to abolish the privileges of Rulers and to make certain transitional provisions to enable the said Rulers to adjust progressively to the changed circumstances.*

Be it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

**1. Short title and commencement.**— (1) This Act may be called the Rulers of Indian States (Abolition of Privileges) Act, 1972.

(2) Save as otherwise provided in this Act, it shall come into force at once.

**2. Amendment of Act 5 of 1898.**— In section 197A of the Code of Criminal Procedure, 1898,—

(a) in sub-section (1), for clause (b), the following clauses shall be substituted, namely:—

‘(b) “commencement of the Constitution” means the 26th day of January, 1950; and

(c) “Ruler”, in relation to a former Indian State, has the same meaning as in article 363 of the Constitution.’;

(b) in sub-section (2), after the words “Ruler of a former Indian State”, the words “before the commencement of the Constitution” shall be inserted;

(c) in sub-section (3), after the words “Ruler of a former Indian State”, the words “for such offence” shall be inserted.

**3. Amendment of Act 5 of 1908.**— In section 87B of the Code of Civil Procedure, 1908,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) In the case of any suit by or against the Ruler of any former Indian State which is based wholly or in part upon a cause of action which arose before the commencement of the Constitution or any proceeding arising out of such suit, the provisions of section 85 and sub-sections (1) and (3) of section 86 shall apply in relation to such Ruler as they apply in relation to the Ruler of a foreign State.”;

(b) in sub-section (2),—

(i) the word “and” at the end of clause (a) shall be omitted;

(ii) for clause (b), the following clauses shall be substituted, namely:—

‘(b) “commencement of the Constitution” means the 26th day of January, 1950; and

(c) “Ruler”, in relation to a former Indian State, has the same meaning as in article 363 of the Constitution.’.

**4. Amendment of Act 43 of 1951.**— Section 168 of the Representation of the People Act, 1951, shall be omitted.

**5. Amendment of Act 27 of 1957.**— In the Wealth-tax Act, 1957, in section 5, in sub-section (1),—

(a) in clause (iii), for the words “any one building in the occupation of a Ruler declared by the Central Government as his official residence”, the words, brackets and figures “any one building in the occupation of a Ruler, being a building which immediately before the commencement of the Constitution (Twenty-sixth Amendment) Act, 1971, was his official residence by virtue of a declaration by the Central Government” shall be substituted with effect from the 28th day of December, 1971;

(b) to clause (xiv), the following provisos shall be added, namely:—

“Provided that in the case of jewellery recognised by the Central Government as aforesaid, such recognition shall be subject to the following conditions, namely:—

(i) that the jewellery shall be permanently kept in India and shall not be removed outside India except for a purpose and period approved by the Board;

(ii) that reasonable steps shall be taken for keeping the jewellery substantially in its original shape;

(iii) that reasonable facilities shall be allowed to any officer of Government authorised by the Board in this behalf to examine the jewellery as and when necessary; and

(iv) that if any of the conditions hereinbefore specified is not being duly fulfilled, the Board may, for reasons to be recorded in writing, withdraw the recognition retrospectively with effect from the date of commencement of clause (b) of section 5 of the Rulers of Indian States (Abolition of Privileges) Act, 1972 and in such a case, wealth-tax shall become payable by the Ruler for all the assessment years after such commencement for which the jewellery was exempted on account of the recognition.

**Explanation.**— For the purposes of clause (iv) of the foregoing proviso, the fair market value of any jewellery on the date of the withdrawal of the recognition in respect thereof shall be deemed to be the fair market value of such jewellery on each successive valuation date relevant for the assessment years referred to in the said proviso:

Provided further that the aggregate amount of wealth-tax payable in respect of any jewellery under clause (iv) of the foregoing proviso

for all the assessment years referred to therein shall not in any case exceed fifty per cent. of its fair market value on the valuation date relevant for the assessment year in which recognition was withdrawn;”.

**6. Amendment of Act 18 of 1958.**—In section 5 of the Gift-tax Act, 1958, in sub-section (1), clause (xvi) shall be omitted with effect from the 1st day of April, 1973.

**7. Amendment of Act 43 of 1961.**—In the Income-tax Act, 1961,—

(a) in section 10,—

(i) after clause (18), the following clause shall be inserted, namely:—

“(18A) any *ex gratia* payments made by the Central Government, consequent on the abolition of privy purse;”;

(ii) clause (19) shall be omitted with effect from the 2nd day of April, 1973;

(iii) before clause (20), the following clause shall be inserted and shall be deemed to have been inserted with effect from the 28th day of December, 1971, namely:—

“(19A) the annual value of any one palace in the occupation of a Ruler, being a palace, the annual value whereof was exempt from income-tax before the commencement of the Constitution (Twenty-sixth Amendment) Act, 1971, by virtue of the provisions of the Merged States (Taxation Concessions) Order, 1949 or the Part B States (Taxation Concessions) Order, 1950 or, as the case may be, the Jammu and Kashmir (Taxation Concessions) Order, 1958:

Provided that for the assessment year commencing on the 1st day of April, 1972, the annual value of every such palace in the occupation of such Ruler during the relevant previous year shall be exempt from income-tax;”;

(b) in section 297, in sub-section (2),—

(i) in clause (1), the words “until rescinded by the Central Government” shall be omitted;

(ii) to clause (1) as so amended, the following proviso shall be added, namely:—

“Provided that the Central Government may rescind any such notification or amend it so as to rescind any exemption, reduction in rate or other modification made thereunder;”.

The Former Secretary of State Service Officers (Conditions of Service) Act, 1972

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*to provide for the variation or revocation of the conditions of service of former Secretary of State Service officers in respect of certain matters and for matters connected therewith or incidental thereto.*

Be it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Former Secretary of State Service Officers (Conditions of Service) Act, 1972.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

**2. Definitions.**—In this Act, unless the context otherwise requires,—

(a) “appointed day” means the date on which this Act comes into force;

(b) “former Secretary of State Service officer” means a person referred to in sub-clause (a) or sub-clause (b) of clause (1) of article 312A of the Constitution;

(c) “I.C.S. member of the Indian Administrative Service” means a person who was appointed to the Civil Service of the Crown in India known as the Indian Civil Service and who on the appointed day is a member of the Indian Administrative Service;

(d) “I.P. member of the Indian Police Service” means a person who was appointed to the Police Service of the Crown in India known as the Indian Police and who on the appointed day is a member of the Indian Police Service;

(e) “pension” has the meaning assigned to it in clause (17) of article 366 of the Constitution.

**3. Conditions of service of I. C. S. members of the Indian Administrative Service.**—Subject to the other provisions of this Act, on and from the appointed day,—

(a) the conditions of service as respects,—

(i) remuneration,

(ii) leave, and

(iii) pension;

(b) the rights as respects disciplinary matters; and

(c) the conditions of service and the rights as respects all other matters,

of the I.C.S. members of the Indian Administrative Service shall be the same as those of the other members of that Service and accordingly and subject as aforesaid, the provisions of the All-India Services Act, 1951 and the rules and regulations made or deemed to have been made thereunder, as in force from time to time, shall apply to and in relation to the I.C.S. members of the Indian Administrative Service as they apply to and in relation to the other members of that Service.

**4. Conditions of service of I. P. members of the Indian Police Service.**—Subject to the other provisions of this Act, on and from the appointed day,—

(a) the conditions of service as respects,—

(i) remuneration,

(ii) leave, and

(iii) pension;

(b) the rights as respects disciplinary matters; and

(c) the conditions of service and the rights as respects all other matters,

of the I.P. members of the Indian Police Service shall be the same as those of the other members of that Service and accordingly and subject as aforesaid, the provisions of the All-India Services Act, 1951

61 of 1951.

61 of 1951.

and the rules and regulations made or deemed to have been made thereunder, as in force from time to time, shall apply to and in relation to the I.P. members of the Indian Police Service as they apply to and in relation to the other members of that Service.

**5. Pay of I. C. S. members of Indian Administrative Service and I. P. members of Indian Police Service.**—Notwithstanding anything contained in section 3 or section 4, an I.C.S. member of the Indian Administrative Service or an I.P. member of the Indian Police Service, as the case may be, holding a post specified in the Schedule or a post declared by the Central Government to be equivalent to such post shall, for so long as he holds that post, be entitled to draw pay as indicated against the post in the Schedule.

**6. Retirement of I. C. S. members of Indian Administrative Service and I. P. members of Indian Police Service.**—Notwithstanding anything contained in section 3 or section 4,—

(a) an I.C.S. member of the Indian Administrative Service, unless his service has been extended before the appointed day in accordance with the rules and regulations then applicable or is extended on or after that day in accordance with the rules and regulations applicable to the other members of the Indian Administrative Service, shall retire compulsorily,—

(i) where he attains the age of fifty-eight years before the expiry of six months from the appointed day, on the date of expiry of the said period of six months or on the date on which he shall retire compulsorily in accordance with the rules applicable to him immediately before the appointed day, whichever date is earlier;

(ii) in any other case, on his attaining the age of fifty-eight years;

(b) the Central Government shall have and shall be deemed always to have had the power to require an I.C.S. member of the Indian Administrative Service or an I.P. member of the Indian Police Service, in consultation with the Government of the State on whose cadre he is borne and after giving to such member at least three months' previous notice in writing, to retire in public interest from service on the date on which such member completes thirty years of qualifying service or attains fifty years of age or on any date thereafter to be specified in the notice;

(c) an I.C.S. member of the Indian Administrative Service or an I.P. member of the Indian Police Service may, after giving at least three months' previous notice in writing to the Government of the State on whose cadre he is borne, retire from service on the date on which such member completes thirty years of qualifying service or attains fifty years of age or on any date thereafter to be specified in the notice;

Provided that no member under suspension shall retire from service except with the specific approval of the Government of the State on whose cadre he is borne.

*Explanation.*—For the purposes of clause (b) and clause (c), "qualifying service" means service qualifying for purposes of pension.

**7. Pension of I. C. S. members of Indian Administrative Service.**—Notwithstanding anything contained in section 3,—

(a) an I.C.S. member of the Indian Administrative Service shall, subject to the provisions of section 8 and subject to the same provisions in regard to the right of the Central Government to withdraw the whole or any part of pension or to order recovery of pension and the same conditions for grant of retirement benefits, as are applicable for the time being in the case of other members of the Indian Administrative Service, be entitled on his retirement from service in accordance with the provisions of section 6, to receive by way of annuity rupees thirteen thousand three hundred and thirty-three and one-third;

(b) no death-cum-retirement gratuity benefits shall be available to or in respect of an I.C.S. member of the Indian Administrative Service unless such member has exercised his option for such benefits before the appointed day in accordance with the orders of the Central Government in that behalf and the benefits admissible to or in relation to an I.C.S. member of the Service who so exercised his option shall be subject to the conditions specified in the said orders and to the same conditions for grant of retirement benefits as are applicable for the time being in the case of other members of the Indian Administrative Service;

(c) no family pension benefits shall be admissible in relation to an I.C.S. member of the Indian Administrative Service unless such member exercised his option in respect of such benefits before the appointed day in accordance with the orders of the Central Government in that behalf and the benefits admissible in relation to an I.C.S. member of the service who so exercised his option shall be subject to the conditions specified in the said orders;

(d) the Provident Fund account of an I.C.S. member of the Indian Administrative Service shall be credited, on his retirement or previous death, with the same amount, if any, as would have been credited by way of contribution in accordance with the rules in force immediately before the appointed day.

**8. Pension payable to former Secretary of State Service officers in Indian currency only.**—(1) No former Secretary of State Service officer shall be entitled, or be deemed ever to have been entitled, to claim,—

(a) pension in sterling; or

(b) that his pension shall be paid outside India; or

(c) where his pension was expressed in sterling or a fixed sterling minimum was applicable in respect of the pension payable to him, that his pension shall be computed in the rupee equivalent of the amount fixed in sterling at a rate of exchange exceeding the rate of rupees thirteen and one-third to the pound sterling.

(2) Notwithstanding any judgment, decree or order of any court, every former Secretary of State Service officer who has been paid the rupee equivalent or, as the case may be, the pound sterling equivalent of his pension by calculating such pension with reference to a rate of exchange exceeding the rate of exchange of rupees thirteen and one-third to

the pound sterling, shall refund to the Central Government or, as the case may be, the State Government, the sum by which the amount paid to him exceeds the amount which would have been payable to him if the calculation had been made at the rate of exchange of rupees thirteen and one-third to the pound sterling and the Central Government or the State Government may set off, in such manner as it may deem fit, the amount required to be so refunded to it by any such officer against any sum (including pension) which is or which may become due from that Government to such officer.

(3) For the removal of doubts, it is hereby declared that the provisions of sub-sections (1) and (2) shall apply to a former Secretary of State Service officer who is holding or has held the office of the Chief Justice or other Judge of the Supreme Court or a High Court, the Comptroller and Auditor General of India, the Chairman or other member of the Union or a State Public Service Commission or the Chief Election Commissioner as they apply to other former Secretary of State Service officers.

**9. Power of Central Government to adapt certain rules, regulations and orders.**—(1) For the purpose of bringing the provisions of any rules and regulations made or deemed to have been made under the All-India Services Act, 1951 or any rules, regulations or orders (including any other instrument having the force of law) applicable immediately before the appointed day to or in relation to former Secretary of State Service officers into accord with the provisions of this Act, the Central Government may, before the expiry of two years from the appointed day, by order published in the Official Gazette, make such adaptations and modifications of such rules, regulations or orders, whether by way of repeal or amendment, as may be necessary. 61 of 1951.

(2) The provisions of sub-section (1) shall be in addition to and not in derogation of any power under any other law to amend or repeal the rules, regulations and orders referred to in that sub-section.

**10. Power to construe rules, regulations and orders.**—Notwithstanding that no provision or insufficient provision has been made under section 9 for the adaptation of any rule, regulation or order referred to in that section, any court, tribunal or authority, required or empowered to enforce such rule, regulation or order may construe it with such modifications as may be necessary to bring it into accord with the provisions of this Act.

**11. Power to remove difficulties.**—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by general or special order published in the Official Gazette, for the purpose of removing the difficulty, make such

provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient:

Provided that no such order shall be made under this sub-section after the expiry of three years from the appointed day.

(2) Every order made under sub-section (1) shall, as soon as may be after it is made, be laid before each House of Parliament.

**12. Act to have overriding effect.**—The provisions of this Act or of any order made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any law other than this Act or in any rule, regulation or order or other instrument having effect by virtue of any law other than this Act.

**13. Saving of orders in respect of disciplinary matters.**—Any order in respect of disciplinary matters in relation to any I.C.S. member of the Indian Administrative Service or any I.P. member of the Indian Police Service in force immediately before the appointed day shall continue in force as from the appointed day:

Provided that nothing in this section shall derogate from the powers of the competent authority to vary or rescind such order.

#### THE SCHEDULE

(See section 5)

##### Part I

##### *I.C.S. Members of the Indian Administrative Service*

Sr. No.	Post	Pay or Scale of Pay
1	Secretary to the Government of India ... ..	Rs. 4,000.
2	Additional Secretary to the Government of India ... ..	Rs. 3,500.
3	Joint Secretary to the Government of India ... ..	Rs. 3,000.
4	First Member, Board of Revenue, Tamil Nadu ... ..	Rs. 3,750.

##### Part II

##### *I. P. Members of the Indian Police Service*

Sr. No.	Post	Pay or Scale of Pay
1	Director, Intelligence Bureau ... ..	Rs. 3,500.
2	Director General, Central Reserve Police Force ... ..	Rs. 3,250.
3	Deputy Director, Intelligence Bureau ... ..	Rs. 1,950—50—2,150 Plus Rs. 100 Special Pay.
4	Inspector-General of Police	Rs. 2,500—125—3,000.
5	Commissioner of Police, Calcutta ... ..	Rs. 2,300—50—2,500.
6	Deputy Inspector-General of Police ... ..	Rs. 1,950—50—2,150.